

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BETANIA TORIBIO, Administratrix
of the Estate of JOHN JOAQUIN
TORIBIO, Deceased; and BETANIA
TORIBIO, Individually

Plaintiffs,

v.

PINE HAVEN, LLC, d/b/a PINE
HAVEN CAMPGROUND and PINE HAVEN
CAMPING RESORT; and DIVERSIFIED
INVESTMENTS, INC. a/k/a
DIVERSIFIED INVESTMENTS, LLC
a/k/a DIVERSIFIED INVESTMENT
SERVICES LLC,

Defendants / Third
Party Plaintiffs,

v.

HEATHER MILLER a/k/a HEATHER
DIOSCON; TIMOTHY MILLER;
ANTHONY DIOSCON; and MICHELLE
WHEELER,

Third Party
Defendants.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 12-4975
(JEI/JS)

**ORDER GRANTING THIRD PARTY
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT (DOCKET #38)**

APPEARANCES:

LAW OFFICE OF TERKOWITZ & HERMESMANN
By: Patrick J. Hermesmann, Esq.
309 Fellowship Road
Suite 200

Mount Laurel, New Jersey 08540

Counsel for Defendants / Third Party Plaintiffs Pine Haven,
LLC & Diversified Investments, Inc.

BARNABA & MARCONI, LLP
By: Gary S. McDonald, Esq.
315 Lowell Avenue
Trenton, New Jersey 08619

Counsel for Third Party Defendants Timothy Miller, Heather Miller a/k/a Heather Dioscon, and Anthony Dioscon

IRENAS, Senior District Judge:

This matter having appeared before the Court upon Third Party Defendants Heather Miller a/k/a Heather Dioscon, Timothy Miller, and Anthony Dioscon's Motion for Summary Judgment (Dkt. No. 38); having reviewed the parties' submissions and having held oral argument on July 30, 2014; for the reasons set forth in an Opinion on even date herewith; and for good cause appearing:

IT IS on this 5^H day of August, 2014,

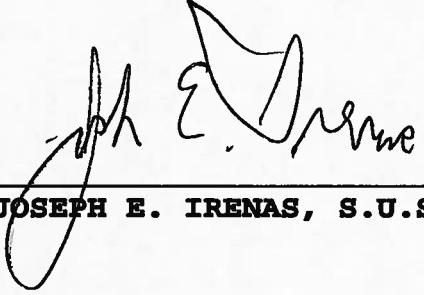
ORDERED THAT:

1. Third Party Defendants Heather Miller a/k/a Heather Dioscon, Timothy Miller, and Anthony Dioscon's Motion for Summary Judgment (Docket #38) is hereby **GRANTED**;

2. Third Party Defendants Heather Miller a/k/a Heather Dioscon, Timothy Miller, and Anthony Dioscon's Crossclaims (Docket #24), which are stated in Third Party

Defendant Michelle Wheeler's Answer and Crossclaim
(Docket #23), are hereby **DISMISSED as moot**;

3. The Clerk of Court is hereby directed to **TERMINATE** Third
Party Defendant / Cross Claimants Heather Miller a/k/a
Heather Dioscon, Timothy Miller, and Anthony Dioscon from
this action;


JOSEPH E. IRENAS, S.U.S.D.J.